

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

ALEXANDER ALHOVSKY,

Plaintiff,

**NOTICE OF MOTION**

-against-

07 CV 7628 (CM)

THOMAS RYAN, NEW YORK CITY POLICE  
DEPARTMENT DETECTIVES "1-5," NEW YORK  
CITY POLICE DEPARTMENT OFFICERS "1-10,"  
JACK T. LINN, STEVE SIMON, RAY BROWN,  
BARBARA JOYNER, the NEW YORK CITY  
DEPARTMENT OF PARKS AND RECREATION, and  
the CITY OF NEW YORK,

Defendants.

-----X

**PLEASE TAKE NOTICE** that upon the annexed Local Civil Rule 56.1 Statement, dated May 1, 2008; the Declaration of Assistant Corporation Counsel Suzette Corinne Rivera, dated May 1, 2008, and the exhibits annexed thereto; the accompanying Memorandum of Law in Support of the Motion for Summary Judgment; and upon all prior pleadings and proceeding had herein, defendants Thomas Ryan and the City of New York will move this Court before the Honorable Colleen McMahon, United States District Judge, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York at a date and time to be determined by the Court, for dismissal of the complaint with prejudice, pursuant to Rule 12(c) or, in the alternative, for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure and in accordance with Judge McMahon's individual practices, on the grounds that the individual defendant is entitled to qualified immunity on all of plaintiff's claims and that the City of New York is entitled to judgment as a matter of law, and for such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's Order dated February 6, 2008, opposition papers, if any, are due on or before May 29, 2008.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's Order dated February 6, 2008, reply papers, if any, are due on or before June 5, 2008.

Dated: New York, New York

May 1, 2008

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for Defendants Thomas Ryan and  
the City of New York  
100 Church Street  
New York, New York 10007

By:

  
\_\_\_\_\_  
Suzette Corinne Rivera (SR 4272)  
Assistant Corporation Counsel  
Special Federal Litigation Division

To: Robert Erlanger, Esq. (By ECF)  
Attorney for Plaintiff  
1170 Broadway, Suite 1206  
New York, New York 10001

Index No. 07 CV 7628 (CM)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALEXANDER ALHOVSKY, Plaintiff,

-against-

THOMAS RYAN, NEW YORK CITY POLICE  
DEPARTMENT DETECTIVES "1-5", NEW YORK CITY  
POLICE DEPARTMENT OFFICERS "1-10", JACK T.  
LINN, STEVE SIMON, RAY BROWN, BARBARA  
BROWN, the NEW YORK CITY DEPARTMENT OF  
PARKS AND RECREATION, and the CITY OF NEW  
YORK,

Defendants.

**NOTICE OF MOTION**

***MICHAEL A. CARDOZO***

*Corporation Counsel of the City of New York  
Attorney for Defendants  
100 Church Street  
New York, New York 10007*

*Of Counsel: Suzette Corinne Rivera  
Tel:  
NYCLIS No.*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 200...*

*..... Esq.*

*Attorney for .....*